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February 10, 2020

California Community Colleges Board of Governors  
1102 Q Street  
Sacramento, CA 95811

**Subject: Academic Senate for California Community Colleges Response to Nonduplication Analysis**

Dear President Epstein and Members of the Board:

The Chancellor's Office January 10, 2020 nonduplication analysis does not address the ASCCC's primary assertion in our October 7, 2019 letter to the Legislature: All three of the programs that Calbright is offering, per the California Code of Regulations Title 5 §55000(m) definition of program, are already offered by existing, accredited California Community Colleges. The programs are duplicative in content, which is a direct violation of California Education Code §75001(d)(1). In some respects, as the Chancellor's Office January 10 memorandum grants, even the method of delivery that Calbright has employed is duplicative of existing methods of delivery within our system, which also contradicts the guidance provided by the Legislature in California Education Code §75001(f)(1).

Despite the Chancellor's Office's detailed explanation of some subtle differences in method of delivery, those minor differences in delivery do not fundamentally or significantly change the instruction or the programs. The fact remains that the programs themselves are already offered at existing California Community Colleges. The \$100 million-dollar enterprise has greater resources to explore, given how its funding differs from that of the rest of the system. Calbright's choice to move forward with the three programs places Calbright in a position of unfair competition with other colleges in the California Community Colleges system, which are still required to abide by existing regulation and statute.

Please do not hesitate to reach out if you have any questions.

Respectfully,

John Stankas, President

Cc: Honorable Anthony Rendon, Speaker of the Assembly  
Honorable Jose Medina, Chair, Assembly Higher Education Committee  
Honorable Toni Atkins, Senate President Pro Tempore  
Honorable Holly Mitchell, Chair, Senate Budget Committee  
Honorable Connie Leyva, Chair, Senate Education Committee  
Honorable Phil Ting, Chair, Assembly Budget Committee  
Joey Freeman, Chief Deputy Legislative Affairs Secretary for Policy  
Chris Ferguson, Department of Finance  
Paul Steenhausen, Legislative Analyst's Office  
Monica Henestroza, Special Assistant to Assemblymember Rendon  
Jeanice Warden, Chief Consultant, Assembly Committee on Higher Education

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Megan Baier, Educational Consultant, Senator Atkins

Olgalilia Ramirez, Consultant, Senate Committee on Education

Anita Lee, Consultant, Senate Budget and Fiscal Review Committee

Mark Martin, Consultant for the Budget Committee on Higher Education

Eloy Ortiz Oakley, Chancellor, California Community Colleges Chancellor's Office

Marty Alvarado, Executive Vice Chancellor, California Community Colleges Chancellor's Office

Marc LeForestier, General Counsel, California Community Colleges Chancellor's Office

Laura Metune, Vice Chancellor of Government Relations, California Community Colleges Chancellor's Office